

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DERRICK SMITH,	§
	§ No. 276, 2021
Defendant Below,	§
Appellant,	§
	§
v.	§ Court Below–Superior Court
	§ of the State of Delaware
STATE OF DELAWARE,	§
	§ Cr. ID No. 1101020846 (N)
Plaintiff Below,	§
Appellee.	§

Submitted: October 15, 2021

Decided: November 4, 2021

**ORDER**

It appears to the Court that, on September 29, 2021, the Senior Court Clerk issued a notice, sent by certified mail, directing the appellant, Derrick Smith, to show cause why his appeal should not be dismissed for his failure to pay the Supreme Court filing fee or filing a motion to proceed *in forma pauperis*. The appellant received the notice, as evidenced by the return receipt filed with this Court on October 4, 2021. A timely response to the notice to show cause was due on or before October 14, 2021. To date, Smith has not paid the Supreme Court filing fee, filed a motion to proceed *in forma pauperis*, or responded to the notice to show cause. Dismissal of this action is therefore deemed to be unopposed.

NOW, THEREFORE, IT IS HEREBY ORDERED, under Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Tamika R. Montgomery-Reeves  
Justice